

EI-5509



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Scott Gates

Archie Fool Bear

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Ron His Horse Is Thunder  
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Cannonball District

Henry Harrison  
Long Soldier District

Joe Strongheart Sr.  
Wakpala District

Frank White Bull  
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oe White Mountain Sr.  
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Frank Jamerson Jr.  
Running Antelope District

Richard D. Bird Jr.  
Porcupine District

The Standing Rock Sioux Tribe ("SRST") urges the Surface Transportation Board ("STB") to distinguish between the two levels of levels of consultation relevant to the Dakota Minnesota and Eastern ("DM&E") railroad Powder River Basin expansion project.

The SRST urges the STB to distinguish between National Historic Preservation Act mandated consultation with the respective Tribal Historic Preservation Offices<sup>1</sup> and the NHPA mandated consultation with the respective Tribal sovereign entities ("Tribes")<sup>2</sup>. Further, The SRST suggests the STB respect the directive of Executive Order 13175 - Consultation and Coordination with Indian Tribal Governments- and pursue a meaningful consultation effort with the Tribes.

The SRST urges the STB and associated parties to coordinate a government to government consultation with the member Tribes of the Great Plains Tribal Chairman's Association ("GPTCA") to provide a meaningful government to government consultation process. In addition, the GPTCA recommends that the STB facilitate the structuring of the Office of Tribal Involvement ("OTI") within the existing committee structure of the GPTCA.

On behalf of the SRST and GPTCA, I look forward to correspondence with the STB and associated parties in furthering a meaningful government to government consultation.

Respectfully,

Ron His Horse Is Thunder, Chairman  
Standing Rock Sioux Tribe

<sup>1</sup> 36 CFR 800.2 (c)(ii)(2)(i)(A)

<sup>2</sup> 36 CFR 800.2 (c)(ii)(C)